

ORIGINAL

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DISTRICT OF HAWAII

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF HONOLULU, HAWAII

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LUIS SANCHO, et al.,

Plaintiffs

vs.

US DEPARTMENT OF ENERGY, et al.,

Defendants

Civil No. **CV 08 00136 HG KSC**

**AFFIDAVIT OF LUIS SANCHO
IN SUPPORT OF TRO AND
PRELIMINARY INJUNCTION**

AFFIDAVIT OF LUIS SANCHO IN SUPPORT OF
TRO AND PRELIMINARY INJUNCTION

I, Luis Sancho, affirm, state and declare under penalty of perjury of the laws of
the state of Hawaii as follows:

I

Professional Background

1. I am a System Scientist specialized in Cosmology and Time Theory. I obtained my undergraduate degree at *Barcelona University*, Barcelona, Spain. I followed with my post-graduate studies at *Columbia University*, New York and developed a career as a Writer on scientific themes in Spain.

2. I also chair the Annual World Conferences on the Science of Duality, (the study of the Universe with 2 time arrows or 'directions of future', energy and information) at the *International Systems Society* (ISSS.ORG) and have published in European magazines, on the field of Duality and the Arrows of Time.

3. As a leading researcher in the field of Time Theory I am the author of a series of books and articles on Cosmology and Relativity ("The Living Universe", "Time Cycles") in which I propose an extension of Dr. Einstein's *Principle of Equivalence* to explain the origin of mass. Thus, I have been interested in the experiments that are currently scheduled to take place at the European Center for Nuclear Research (CERN) that will research the nature of Mass.

II

LHC Concerns

4. I was initially in favor of the funding of the Large Hadron Collider (LHC) - the biggest, most energetic, technologically advanced machine ever built on planet Earth. It consists of a 27 kilometer circumference, superconductive, super fluid ring, in which bundles of heavy atoms are to be accelerated to almost the speed of light, and collided together, to replicate the awesome energies of the "Big Bang". Such collisions of atoms are intended to be smashed together to create showers of heavy mass particles only found in those first seconds that took place when the Universe was believed by physicists to be destroyed and recreated again.

5. To understand how it is possible to reach such almost unbelievable energies and replicate the "Big Bang" on Earth, a simple comparison will suffice: the first accelerator [atom-smasher] that smashed and fissioned atoms in the 1930s during the research of nuclear physics leading to Atomic bombs was 25 centimeters in circumference [about 10 inches around]. That first atom smasher was more than 100 THOUSAND times smaller than the 27 kilometer ring that will accelerate and smash atoms at CERN to nearly the speed of light.

6. Unfortunately, in 2004 theoretical calculations on the particles we expect to encounter at CERN in those ultra-energetic conditions showed beyond reasonable doubt that the LHC will very possibly produce 2 kinds of particles which are extremely dangerous for the safety of this planet, as they have been proven both theoretically to be able to swallow in a chain reaction the entire mass of planet Earth:

- Black holes; [expected by some theorists to be produced at the rate of 1 per second]
- Strange, ultra-dense quark matter; [expected to be the main product of CERN at the rate of a million particles per second, according to Mr. Engelen, Chief Scientific Officer for the project].

In that regard, I would like to explain briefly the types of Mass and celestial bodies we encounter in the Universe.

7. While CERN highlights in its reports as its main goal the possible production of 'theoretical particles' that might prove or disprove alternative, 'non-standard', exotic theories of the Universe, such as the Higgs Particle, Axons, Photinos, etc., the fact is that the 2 Standard, proven theories of Physics, *Quantum Theory* that describes the microcosms, and *Relativity*, which describes the macrocosms, have observed the existence of only 3 families of Mass of increasing force, which suffice to explain the Universe:

- *Light or normal matter*, of which humans, planets and stars are made;
- heavier '*strange*' matter, called 'strange' by its discoverers for its surprising stability; and
- '*Tau*' matter, the heaviest and most forceful of all.

Their names come from the 3 types of quarks (the fundamental particle of mass in the Universe) from which they are made: *normal* [also called up and down quarks]; *strange*; and *Tau* quarks.

8. Moreover, in the Universe there are also 3 types of celestial bodies:

- Stars and planets, made of normal matter;
- Neutron stars, made of neutrons and strange matter; and
- Black holes, which some astronomers model as stars made of Tau matter.

Again, strange stars and Tau-matter/Black-holes, *feed on and transform upon contact* the 'weaker' celestial bodies, planets and stars, into replicas of themselves, according to the theories of most astronomers and astrophysicists.

9. Those 2 processes of destruction of normal matter by the 2 types of Dark Matter are the most violent of the Universe. They have become popularized in the lay media under the names of:

- A "Nova" or "Supernova" (that converts a celestial body of normal matter into a black hole or Neutron/Strange star).
- An "ice-9" reaction, a name given by Nobel Prize winner, Dr. Franck Wilczek, one of the foremost theorists on strange matter today, to the transformation of normal matter into strange matter. In that regard he compared its potential lethal power to that of the fictional substance "ice-9", which in Kurt Vonnegut's science fiction novel, *"The Cat and the Cradle"*,

freezes the entire planet into an ice ball in a few hours. Since strange matter could convert the Earth into a strangelet, a mass of strange super fluid, in a few hours (Letters to the Editor, *Scientific American*, July, 1999).

10. Such is, indeed, the fate all of us might endure if the LHC at CERN creates either of those 2 types of ultra-energetic Dark Matter that could cause the 'big bang' of the Earth. In the past decade, thanks to new, more powerful Telescopes, the information cosmologists have gathered about the composition of the Cosmos shows clearly that Dark Matter dominates the Universe, being 9 times more abundant than our normal type of matter, on which it feeds. For example, our Milky Way galaxy has only 10% radiant (normal) matter, being instead composed of 90% Dark Matter, whose only known 'real' possible components are black holes and strange stars, also called 'MACHOS', (as they are extremely strong, aggressive entities).

11. Thus, a cosmological bomb billions of times more powerful than the A-Bomb that nuclear physicists researched in the 20th century, might possibly be created at CERN, the European Center for Nuclear Research. The difference, however, is not only about power but control: strange matter and black holes are, unlike normal Atomic Bombs, self-reproductive bombs; that is, substances, which actively attract and transform our normal matter and whose strength is such that once they become stable they cannot be controlled or destroyed by human beings, who are millions of times 'lighter' [less dense] than those substances. It is thus extremely dangerous to produce any quantities of Dark Matter [strange matter or black holes] of any form on Earth.

12. For all that has been said, based on cosmological evidence and theoretical work, it is obvious that in a realistic scenario the Large Hadron Collider will possibly be just such a factory of Dark Matter, which could easily feed on the radiant normal matter of this planet in a chain reaction that might destroy this planet within minutes and terminate all forms of life.

13. However, because the dangers of producing strange quarks and Tau quarks are known, and their production *en masse* will not be a 'new discovery'; hence their production will not advance Physics. Likewise, their production would not provide a Nobel Prize to CERN's researchers – the ultimate goal of all experimentalists – if the Earth were consumed. The Physicists at CERN have systematically ignored the fact that the Large Hadron Collider might well be essentially a Dark Matter factory, and never publicly speak of the dangers involved. As an expert in Mass Theory, well aware of those potential dangers, I consider that behavior irresponsible and against the true spirit of science, which is to advance our knowledge and improve the conditions of human life. For that reason, I can no longer support on ethical and intellectual basis the experiments that would take place at CERN, regardless of the final probability of such catastrophic events, assessed by other experts. I will try to show now to this Court, below, some of the accepted probabilities considered by experts in the matter, including by CERN itself, which would be the cause of a potential human genocide which at this stage, only a TRO by this Court can prevent.

III

The Probabilities of such Catastrophic Event

14. As of today, the exact probability of a possible runaway reaction that converts the Earth into strange matter, or converts the Earth into a black hole, is unknown, and is entirely dependent on alternative theories, which are still disputed. Those theories convert those experiments in probabilistic events similar to the toss of a coin: If theory A is right or Parameter C has certain unknown value we will become annihilated. If instead, theory B is right or Parameter C has a different unknown value, we will survive without any adverse consequence.

15. In that regard, the 2 events that could destroy the Earth, the creation of strange matter or black holes [both of which are forms of Dark Matter], depend primarily upon 2 disputed theories and one physical parameter:

- Regarding what appears to be the higher risk scenario, which is the creation of strange matter that can destroy the Earth, it depends on an unknown parameter that appears in the equations of Strange matter, called the *bag constant*. If the so-called bag constant is small, strange matter will be stable and accrete the Earth in an ice-9 type-reaction. Yet if the bag constant is high, strangelets will not be stable and the Earth will be safe.

16. Again, there is no way to agree on the value of the bag constant. However the most commonly used value of the bag constant, the so-called "MIT bag constant", considers that at the range of energies reached by the LHC the lumps of

strange matter that CERN would create on Earth would be stable. Unfortunately, it has become recently clear that the main substance CERN would likely produce would be strange QGM (strange Quark-Gluon matter), which would likely account for +90% of all particles created. This appears to have been proven by similar experiments at RHIC, an American super-collider, ten times less powerful than the LHC. The experiments carried out at RHIC in the past few years, with only a tenth of the LHC energy, failed to 'discover' any of the imaginary particles of theoretical physicists, producing instead always the same substance: unstable Quark-Gluon Plasma, the prior stage to the production of stable strange matter (as the creation of unstable atomic plasma is the prior stage to the production of stable atomic matter). Thus, it is expected that with 10 times more energy, CERN will likely create QGM, *i.e.* stable strange matter, a type of dangerous Dark Matter.

17. This is a natural consequence of the aforementioned structure of matter in 3 horizons of increasing energy and mass. Now that we open the door to big bang energies we also open the door to the 'stronger, predator matter' that thrives on those high-density conditions. Still, if we give the benefit of doubt to the MIT constant, we would consider fair a 50% chance of creation of stable strange matter vs. a 50% chance of creation of only unstable Strange plasma at CERN (with other different bag constant).

IV

Regarding the Production of, and Destruction of the Earth, by Black Holes

18. Black Holes would be produced at CERN if String Theory, or any of the multiple theories that consider gravity to grow in force at small scales, is certain (super gravity, super-symmetry, etc.). According to *Scientific American's* polls, 9 out of 10 physicists believe that String Theory is certain. Thus, we can assign a 90% chance to the possible creation of black holes by the LHC (Large Hadron Collider) at a rate of 1 per second. Once they are produced their stability depends on the truth or falsity of 2 alternative theories about black holes:

- What is called the Classic Theory of Black Holes, which follows Dr. Einstein's Theory of General Relativity. This theory, thoroughly proven in the 20th century, affirms that black holes will be stable regardless of size and would feed and destroy the Earth in a Nova Explosion if created here.
- On the other hand, in the 1970s a young, brass Dr. Hawking asserted that "Einstein was double wrong", believing that small black holes would not be stable but 'evaporate' and explode into a burst of energy and particles. The result is the so-called "Hawking radiation" theory that would render small black holes harmless if it actually exists, allowing them to rapidly "evaporate".

19. Scientists, however, have not accepted Hawking radiation as proven, for at least one of the 3 obvious reasons below:

- The very same Hawking has contradicted his theory in his book "The Universe in a Nutshell" (Pg. 149), where he affirms now that particles and antiparticles are the same particle traveling in a time loop. This contradicts totally Hawking's 1974 thesis that some small black holes might evaporate, *if* pairs of particles and antiparticles born in its surface or 'event horizon' split and one travels to the 'past', 'coming out of the black hole'. Such disputed thesis relied in the existence of 2 particles and one traveling to the past. If there were only a particle, it will always fall and feed as Einstein proposed into the black hole. Thus the evaporation of black holes has been proven false 'by *reductio ad absurdum*' by the same Hawking 20 years later, and on those basis we have to accept that theoretically making black holes on Earth will, according to Einstein, end all forms of life in this planet. Since CERN dismisses all dangers for life on Earth with only 6 words ["black holes will evaporate by thermal (Hawking) Radiation"], it is totally irresponsible to trust the future of the Earth on a theory that the very same author has subsequently contradicted.
- In the last 40 years of observing the Universe since black holes were first predicted, we have not observed a single black hole evaporating, despite the enormous energy that such evaporation would show (the so-called 'signature' of a cosmological event, which in this case should be easy to observe) such as via the GLAST satellite to be launched in May, 2008.

- Einstein, who affirms all black holes feed on matter, is considered the most important physicist of History, hand in hand with Sir Isaac Newton, and though many have tried to occupy his place, they have always been proven wrong when challenging the 'master'. I would like, in that regard, to quote, in defense of Dr. Einstein, his own words about such improbable, illogic theories: *"Every theory is speculative. If however a theory is such as to require the application of complicated logical processes in order to reach conclusions from the premises that can't be confronted with observation, everybody becomes conscious of the speculative nature of the theory. In such case an almost irresistible feeling of aversion arises..."*

This is clearly the case of Hawking's evaporation hypothesis, which defies not only Relativity but also the laws of Quantum Physics, (Baryon conservation), Thermodynamics (heat goes from the hot source, the Black hole, into the cold one - our Universe - which therefore will be the world evaporated and destroyed by the black hole); and logic causality, as it implies that 'particles travel to the past' so they seem 'to come out of the black hole', when we observe them from past to future (*Sci. Am.* 1977).

20. It is thus evident that we cannot trust the survival of mankind to a theory with no experimental proof that defies so many basic laws of science. It is safer to give the benefit of the doubt to Einstein's proven work and not to risk mankind to see if Einstein is really 'twice wrong' as claimed by Hawking, or vice versa. In any case, if we are fair and concede in this issue the benefit of doubt to Dr. Hawking, we shall give him

a 50% chance of being right and Dr. Einstein also a 50% chance. This would define the probability of the Earth to be destroyed by a black hole at $50\% \times 90\% = 45\%$ chance.

21. Thus, we come to the conclusion that CERN will cause 2 events that can destroy the planet with a $\pm 50\%$ chance, as there are equally respectable, alternative theories and parameters in both cases for which no certain estimates can be made. On that basis, a simple calculation of probabilities shows that the real risk of those experiments can be as high as 75% when we combine 2 possible events, each one with a 50% chance.

22. To put those risks in perspective, in the insurance business, a potential catastrophe's "death toll" is calculated by multiplying the number of possible victims by the probability of the event. A similar calculation shows that the LHC experiment would be technically, in case of being allowed to take place, the biggest Holocaust of history:

23. Such probabilities for the event of Human Extinction by CERN might be discussed and have been argued now for years. Today they range between the 'official' minimal risk estimated by CERN, a verbal term which in mathematical literature is used for a 1-10% probability, (I believe, biased by self-interest), to a 'very likely' estimate by those who believe in Einstein's work and reject Hawking's physics of black holes as an improbable form of 'metaphysics' or those who accept the MIT bag constant for strange matter (being a 'very likely' estimate, a conceptual term for a 75%-90% risk).

24. In ethical, moral and hence legal terms (as I believe The Law is the practical expression of human ethics), it is self-evident that even a reduced possibility, as those initially considered by CERN, of a 1-10% chances of extinguishing the Earth,

would create a "theoretical potential" 6 billion x 1-10% = 60-600 million potential legal holocaust victims, still the biggest genocide in the history of mankind. It would be also the biggest *environmental crime* of history, far more harmful than Global Warming, as it could mean the destruction of all life forms on this planet.

25. In that regard, I will now try to explain to this court in more detail the 2 main relevant facts about the LHC (Large Hadron Collider):

A) The LHC is not needed to advance our understanding of the Universe, only to prove or disprove alternative non-standard theories about mass, of hyper-ambitious physicists that challenge the already accepted standard model of mass and gravitation, which is Dr. Einstein's *Relativity*.

B) The Large Hadron Collider is a *factory* of heavy quarks, the only proven, existing particle candidates to form dark matter, whose main property is to feed on human radiant [normal] matter. Yet since the production of Dark Matter is neither necessary for the advancement of science, nor safe to mankind, but a potential environmental crime of global proportions, *the LHC should be forbidden to operate* - as we close for security reasons Chernobyl-like factories and forbid the reproduction of Ebola virus in an open environment, even if some specialized virologists would like to study it for research purposes. So we should forbid the reproduction of free, uncontrolled Dark Matter, even if its theorists would like to study it at CERN.

V

Why CERN Might go on with the Experiments if a TRO is not Issued

26. CERN has neither asked mankind to validate these experiments, nor has it been open and clear about those risks to the public. On the contrary it has systematically hidden evidence, and hence it is, in my opinion and hopefully that of this Court, liable of criminal negligence and occultation of proofs, as it carries about what amounts to a potential global genocide.

27. Yet in as much as CERN represents the community of European physicists and it is sponsored by many nations and institutions, including defendants herein, this behavior as a public organism might seem quite strange, unless we consider the historical circumstances that lead to this situation:

- First, when CERN commissioned a decade ago the approximately \$13 billion LHC machine, nobody imagined it would produce black holes. Since then, cosmological theory has advanced enormously thanks to the increasing power of our telescopes – which offer a harmless, alternative path of research, as all those particles are also found in the distant regions of the Universe. For that reason, CERN constructed the Large Hadron Collider with an optimist view on the ingenuity of man, since it was not aware of the dangers that opening the final ‘frontier’ of Universal energy could pose to mankind.

28. It was thus most unfortunate that in the past 4 years, when most of the money had been spent on the LHC development, a series of scientific papers showed beyond reasonable doubt that CERN will make black holes, that Hawking’s radiation is

just a hypothesis never verified, that the RHIC has consistently produced strange plasma, and that Dark Matter is hyper-abundant and dominates the Universe. And hence that at the LHC energies CERN will likely unavoidably create the most dangerous substances of the Universe.

29. It seems obvious today that if those facts had been known a decade ago, and the risks involved had been understood at that time, the LHC would have never been funded by the politicians, science administrators and Energy Departments of the many nations involved in this project, including defendants named herein.

30. Yet, once the fact that strange matter and black holes will be the main products at LHC became known within the narrow community of physicists that can fully understand the mathematics involved, a decision had to be taken, which could be either:

- A) Inform Humanity as a whole, and especially the governments of the specific nations funding the project, of the new risks found in the replication of the big bang and the reproduction of Dark Matter on Earth. However the announcement of those risks would mean a delay and a probable cancellation of the project with the subsequent loss of jobs and prestige for the physicists' community. The ghost of the cold war, when around 60% of all physicists worked in the manufacture of weapons and the physicist was synonymous with the 'mad scientist' still hovers on the consciousness of many of us;
or

B) Dismiss those dangers, with the usual arguments and advertising campaigns that were used in the past to defend atomic research, and go ahead, as if nothing had happened. Which is what most politicians, industries and humans in general tend to do when 'reality bites' and denies our hopes and expectations. This is the same reasoning behind the decision to launch the Challenger, to avoid dashing our hopes and expectations associated with that intended launch date on a cold wintry day, only to have 'reality' bite.

31. Unfortunately, option A), the ethical, moral, and responsible 'legal' decision would be a financial catastrophe for CERN, whose only current purpose of being is the operation of the LHC, at a time when the cold war is over and all countries have reduced drastically the abusive allocation of resources to military-based Nuclear Sciences (which received for most of the 20th century a Budget for research far higher than all biological, medical, historical and social sciences combined). Thus, the only option from CERN's perspective was option B). And option B) was adopted.

32. However, regardless of the self-interest physicists have in advancing their theoretical careers and securing their jobs, and despite the huge expenses we made building a \$13 billion machine, it is clear that mankind cannot be put in harms way, without consent or knowledge of the risks to which it will be submitted if the LHC switches on. In that sense, option B) has to be judged at best as:

- An act of *criminal negligence* and irresponsibility, known to its perpetrators, which can harm billions of human being;

and at worst as:

- A potential *terrorist act* (since terrorism is defined as any concealed event, plotted by a group of people that can harm an enormous number of human beings).

33. As Nobelist Frank Wilczek, the author of a 'safety document' for the far less powerful RHIC collider, said at a conference at MIT:

*"It was easy to make the report because if something goes wrong then ... (***shrugging his shoulders and laughing***)" ... Obviously meaning that neither he, nor CERN could be blamed, *since the planet and all courts and citizens that might retrospectively judge their foolishness would be gone.**

34. I shall just mention here some of the acts of 'criminal negligence' committed by the European Center for Nuclear Research:

- CERN hands to the press in a deceptive act a report of no danger prepared for the RHIC accelerator, a Long Island machine which is 10 times less powerful. Hence it is unable to replicate the energies of the big bang or produce mini black holes. And so it is irrelevant to judge the LHC experiment;
- CERN censors information on the risks involved. Its Chief Scientific Officer, Mr. Engelen passed an internal memorandum to workers at CERN, asking them, regardless of personal opinion, to affirm in all interviews that there were no risks involved in the experiments, changing the previous assertion of 'minimal risk'. This happened as he himself explained in a 2007 interview

in *The New Yorker*, due to the growing public fear. So instead of addressing the legitimate fears of the citizenship, CERN decided to hide all risks involved;

- CERN chooses selectively only those theories about black holes and dark matter that favor the position of 'no risk'. It is for that reason that it promotes and affirms as an 'absolute truth' the outdated 1974 thesis of black hole 'evaporation' postulated by Dr. Hawking, explained in the previous paragraphs. Indeed, CERN bases all its hopes of human survival in its report of safety on 6 words: "Black holes will evaporate via thermal radiation"; 6 words that seem enough for CERN to calm mankind. Yet *Thermal Radiation*, the so-called "Hawking radiation", is quite disputed, since there is not a single proof whatsoever that has shown that black holes will evaporate once created.

35. Black Hole theory has evolved tremendously ever since Dr. Hawking published that 1974 article, and many researchers on the field of Black Hole theory and Time arrows, myself included, no longer consider Black Holes a mathematical entity (as Dr. Hawking, who is a chair of mathematics not of physics at *Cambridge University* affirms), but a real entity, made of dark matter that devours all other forms of matter, regardless of size. Moreover, all theories seem to prove that black holes are the dominant species of the Universe, the 'top predator' celestial entity, to place it in the context of a biological simile.

36. I would like, in that sense, to quote Dr. Einstein, once more, to advance his defense, regarding the dubious truth of pure mathematical theories in physics:

"You know Henri (Poncaire), I abandoned mathematics because while I could distinguish its falsity from its truth, I could not know when they were real."

It seems to me that to sponsor such theory and deny any other alternative view on black holes is a biased act of criminal negligence. Ironically, CERN has a "*Rue du Einstein*" dedicated to Dr. Einstein, but none dedicated to Dr. Hawking.

37. CERN ignores in all its statements the fact that as a potential factory of Dark Matter, its main field of research would be 'strange matter'. Instead CERN constantly stresses that it will find the so-called 'God's particle' or Higgs particle, which purportedly will explain the origin of mass. This is not truth. God is certainly not a particle. The Higgs field, a negative mass field (another absurdity in the real world of physics) was 'invented' also by a mathematics professor, who seems like Dr. Hawking to ignore Einstein's quote on the difference between mathematical objects and reality, soon after Dr. Einstein's death (who widely criticized those exotic theories during his lifetime). And it is just a redundant theory that pretends to substitute Dr. Einstein's definition of mass as a whirl of space-time, obtained from his *Relativity* equations, *the standard theory of cosmology, mass and gravitation*. Such standard theory of mass was later improved by the American physicists, Brans and Dicke, and it is today widely recognized among those who respect the work of Dr. Einstein. In that sense, it is worth to quote again *Scientific American*, 2004:

"2 out of 3 absurd articles received by this magazine [for publication] try to prove Einstein wrong, either because their authors affirm to have discovered the *Unification Theory* he failed to find, or have proofs that his theories were wrong. They seem to believe that by proving Einstein wrong they will acquire his prestige, but they actually only prove their ignorance of *Classic Relativity*."

I strongly believe Higgs' and Hawking's mathematical theories belong to those absurd categories.

38. In fact, in the 1970s, the American Physicist, Lee Smolin, proved that the Higgs particle and his field was exactly the same field as the Brans-Dicke field, which acknowledges Dr. Einstein's work (as *Scientific American* explained this for layman readers in its June, 2007 issue). And so it was redundant and unnecessary. *For that reason*, the American Nobelist Weinberg calls the Higgs Particle a "toilet particle" that should be flushed down the gutter. Yet even if such "Higgs particle" exists, it would be only one out of billions of strange liquid particles, the likely main product at CERN. CERN ignores totally in its reports the fundamental fact that at least, as it happened in RHIC, 90% of its product would consist of strange super fluid, either unstable plasma as RHIC produces, or stable strange matter, a type of Dark Matter.

39. Why then doesn't CERN state the truth? That the LHC will be a "black hole factory", producing miniature black holes at the rate of 1 per second, and a probable Dark Matter factory? Obviously, because if it says so, people will start to research what black holes and strange matter are and find out that they are the substances that feed on radiant normal matter, provoking no end of safety concern.

40. I shall not bore this court with more alternative theories of physics. From what I have presented it is evident that there are many respected theories, which affirm the stability and dangers of strange matter and black holes. CERN has thus-far denied or merely ignored those theories. So what CERN does is to select the truth it wants the public to hear, or issue half-truths and consider hypothesis as truths, sophisticated ways of presenting distorted truth, which in plain English is called 'lying'.

41. Though I am not a professional lawyer and this paper is written from the ethical perspective of a humanist scientist, this again seems to me on ethical terms to be an act of 'criminal negligence' and 'occultation of proofs' about a clear risk to our lives that certainly must be prevented by those who have as their duty and social role to defend the citizenship from any potential 'terrorist' act of mass-murder.

42. Indeed, what CERN is 'plotting', given the potential toll of victims is an act of 'terrorism' that can be labeled in insurance or legal terms as a 'genocide'. This very harsh view requires a psychological analysis of those who might perpetrate that crime.

43. From a psychological point of view, physicists are a curious group. We are considered the summit of the Tree of Science, and so we are responsible for creating 'scientific' explanations on the nature of God and the Universe, from the perspective of mathematics and the scientific method. So we sometimes act with a similar arrogant fundamentalism in our 'beliefs' to that which religious people have. I could quote some scientists in that respect:

- Galileo, the founder of our science, said: "God speaks mathematics";

- Johannes Kepler said: "The Universe is a clock – the machine he used to measure it – and God has waited 5000 years (the Biblical count) to find an intelligence like his";
- Einstein said: "If Relativity is wrong, God should change the Universe" (to adapt it to his theory); and
- Hawking says that God is "the mathematical mind of the Universe". And calls Philosophers who "criticize me for being simplistic" as "a subspecies".

44. Finally, the Director of CERN said that "the LHC will be the closest we will ever be to God", as the Big-Bang is the violent beginning and end of the Universe. Hopefully he will be wrong and the Earth will not become a big bang.

45. It is thus not strange that 'fundamentalist' scientists behave like fundamentalist 'religious people'. Both groups seem to believe in their dogmas with such strength that they justify from their points of view acts of collective murder all over the world, to prove such religious and political views.

46. Further on, the callousness of physicists is proverbial among scientists. Perhaps because they are familiar with violence, as the manufacturers of all the weapons of modern history, since Galileo wrote the first treatise on ballistics, to Mr. Nobel, whose fortune was made with his invention of dynamite, or even Dr. Einstein of Atomic Bomb fame. So if we add an absolute belief in their own theories, the arrogance of those who think to be in direct contact with God, and a tradition of working in mass-murder weapons without ever being penalized for it (not a single German scientist was

judged at Nuremberg), it should not be surprising that indeed, CERN would commit a terrorist act by switching on the LHC.

47. In layman terms, what CERN is doing is asking each of us, and all of mankind, to play a game of *Russian Roulette* with 2 bullets; one for the creation of black holes, and one for the creation of strange matter. This they propose to do in order to foster the personal career goals of a few thousand specialists.

48. Moreover, since all of the experiments that would take place at the LHC could be carried out by advanced Telescopes [both land-based and satellite-based, as now planned or under construction] with no risk to mankind, the potential gains the LHC potentially brings to science are far smaller than the risks it poses to mankind (as we can research the big-bang, its awesome energies and forms of evolved matter both in our planetary backyard, or by watching far away galaxies, so distant in space-time that they were born just after the big bang).

49. For those reasons, we have actively sought assurances from CERN's directorial board that the dangers the LHC poses will be addressed and seriously reviewed by scientists of different disciplines and the Administrators and Civil Servants of the Energy Departments that pay for the experiment. Yet CERN has ignored our pleas. On the contrary, it has not issued any safety risk assessment on the LHC machine, even though it promised to do so by the end of 2007. Instead, it released a safety assessment which was made a decade ago for a machine, the RHIC collider, 10 times less powerful, which is therefore irrelevant to assess the risks for mankind that the LHC poses.

VI

What this Court of Justice could do to Prevent this Crime

50. Thus given my beliefs that CERN is acting with criminal negligence and it is not warning the public and the authorities that sponsor them of the real risks involved in the LHC experiment, and given the fact that there are alternative Telescopes and satellites to perform the same or similar research which pose no risk for mankind, such as NASA's GLAST satellite to be launched in May, 2008 that will study micro black holes on the Galactic Halo, I respectfully request that:

- This Court issue a Temporary Restraining Order and Preliminary Injunction against defendants herein to preclude them from engaging the LHC in collisions of atoms, pending review by myself and other members of the science community of their most recent belated safety review, whereupon I and others will prepare a report thereon for consideration by this Court as to whether to lift or maintain the Preliminary Injunction.

51. Plainly speaking this experiment cannot be carried out without a full, non-biased knowledge of the risks and theories involved by the population of this planet and its legitimate representatives, the governments that have been misguided by CERN. No group has the right to put at significant risk the life of a single human being without their express consent and knowledge – let alone the entire population of this planet.

52. I would suggest a massive shift of funding for cosmological theories back to where it belongs in research, as NASA is actually doing in the United States after President Clinton cancelled a similar machine [the *Superconducting Super Collider*, or

SSC] for budget reasons. We can study Dark Matter in the Universe, from the safety of this blue planet, by satellite and telescope observation. Much of the physicist community unfortunately will never accept this, or at least not the fraction of scientists with personal-conflicted self-interests in those experiments. Only a court can compel this.

53. WHEREFORE, it is respectfully requested that this Court issue the requested Temporary Restraining Order to allow myself and others adequate time to review the pending belated CERN LSAG Safety Review promised by January 1, 2008 but not yet delivered, and at a minimum a TRO lasting four months after issuance of said belated Safety Review, and if necessary a Preliminary Injunction or Permanent Injunction depending upon the results of the review of the CERN Safety Review.

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DATED: March 12, 2008

Luis Sancho

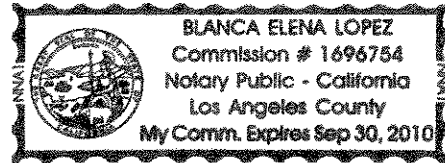
Luis Sancho

NOTARIZATION

Before me, the undersigned Notary, today appeared Luis Sancho, known to me to be the person whose name is subscribed to the foregoing instrument, who being by me first duly sworn on his oath, deposes and says the text of this affidavit on this 12 day of March, 2008.

[Signature]
Notary Public, State of California

Blanca Elena Lopez
(Typed or Printed Name of Notary)



My commission expires: SEP 30, 2010

[seal]